

JS 44C/SDNY
REV.
10/01/2020

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
VALERIE HAVEN

DEFENDANTS
MARLTON HOTEL OPERATING LLC And Sean MacPherson d/b/a
MARLTON HOTEL OPERATING LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Marc S. Moller, Esq. of Kreindler & Kreindler LLP
485 Lexington Avenue, New York, New York 10017
(212) 973-3447

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. § 1332 - Personal injury due to fall in hotel causing serious injury

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM
[] 130 MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[] 690 OTHER	28 USC 157	REAPPORTIONMENT
INSTRUMENT	[] 330 FEDERAL	[] 368 ASBESTOS PERSONAL			[] 410 ANTITRUST
[] 150 RECOVERY OF	EMPLOYERS'	INJURY PRODUCT			[] 430 BANKS & BANKING
OVERPAYMENT &	LIABILITY	LIABILITY			[] 450 COMMERCE
ENFORCEMENT	[] 340 MARINE		PROPERTY RIGHTS		[] 460 DEPORTATION
OF JUDGMENT	[] 345 MARINE PRODUCT	PERSONAL PROPERTY	[] 820 COPYRIGHTS	[] 880 DEFEND TRADE SECRETS ACT	[] 470 RACKETEER INFLU-
[] 151 MEDICARE ACT	LIABILITY	[] 370 OTHER FRAUD	[] 830 PATENT		ENCED & CORRUPT
[] 152 RECOVERY OF	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		ORGANIZATION ACT
DEFAULTED	[] 355 MOTOR VEHICLE		[] 840 TRADEMARK		(RICO)
STUDENT LOANS	PRODUCT LIABILITY			SOCIAL SECURITY	[] 480 CONSUMER CREDIT
(EXCL VETERANS)	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL		[] 861 HIA (1395ff)	[] 485 TELEPHONE CONSUMER
[] 153 RECOVERY OF	INJURY	PROPERTY DAMAGE	LABOR	[] 862 BLACK LUNG (923)	PROTECTION ACT
OVERPAYMENT	[] 362 PERSONAL INJURY -	[] 385 PROPERTY DAMAGE	[] 710 FAIR LABOR	[] 863 DIWC/DIWW (405(g))	
OF VETERAN'S	MED MALPRACTICE	PRODUCT LIABILITY	STANDARDS ACT	[] 864 SSID TITLE XVI	[] 490 CABLE/SATELLITE TV
BENEFITS			[] 720 LABOR/MGMT	[] 865 RSI (405(g))	[] 850 SECURITIES/
[] 160 STOCKHOLDERS		PRISONER PETITIONS	RELATIONS		COMMODITIES/
SUITS	ACTIONS UNDER STATUTES	[] 463 ALIEN DETAINEE	[] 740 RAILWAY LABOR ACT	FEDERAL TAX SUITS	EXCHANGE
[] 190 OTHER	CIVIL RIGHTS	[] 510 MOTIONS TO	[] 751 FAMILY MEDICAL	[] 870 TAXES (U.S. Plaintiff or	[] 890 OTHER STATUTORY
CONTRACT	[] 440 OTHER CIVIL RIGHTS	VACATE SENTENCE	LEAVE ACT (FMLA)	Defendant)	ACTIONS
CONTRACT	(Non-Prisoner)	28 USC 2255		[] 871 IRS-THIRD PARTY	[] 891 AGRICULTURAL ACTS
PRODUCT		[] 530 HABEAS CORPUS	[] 790 OTHER LABOR	26 USC 7609	[] 893 ENVIRONMENTAL
LIABILITY		[] 535 DEATH PENALTY	LITIGATION		MATTERS
[] 196 FRANCHISE		[] 540 MANDAMUS & OTHER	[] 791 EMPL RET INC		[] 895 FREEDOM OF
			SECURITY ACT (ERISA)		INFORMATION ACT
REAL PROPERTY		PRISONER CIVIL RIGHTS	IMMIGRATION		[] 896 ARBITRATION
[] 210 LAND	[] 441 VOTING	[] 550 CIVIL RIGHTS	[] 462 NATURALIZATION		[] 899 ADMINISTRATIVE
CONDEMNATION	[] 442 EMPLOYMENT	[] 555 PRISON CONDITION	APPLICATION		PROCEDURE ACT/REVIEW OR
[] 220 FORECLOSURE	[] 443 HOUSING/	[] 560 CIVIL DETAINEE	[] 465 OTHER IMMIGRATION		APPEAL OF AGENCY DECISION
[] 230 RENT LEASE &	ACCOMMODATIONS	CONDITIONS OF CONFINEMENT	ACTIONS		[] 950 CONSTITUTIONALITY OF
EJECTMENT	[] 445 AMERICANS WITH				STATE STATUTES
[] 240 TORTS TO LAND	DISABILITIES -				
[] 245 TORT PRODUCT	EMPLOYMENT				
LIABILITY	[] 446 AMERICANS WITH				
[] 290 ALL OTHER	DISABILITIES -OTHER				
REAL PROPERTY	[] 448 EDUCATION				

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
- ☐ a. all parties represented
 ☐ b. At least one party is pro se.
 ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☐ 3 FEDERAL QUESTION
 ☒ 4 DIVERSITY (U.S. NOT A PARTY)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [] 1 [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	[X] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [X] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

31 Lodgen Court, #2H Malden, MA 02148

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

MARLTON HOTEL OPERATING LLC - 5 W. 8th Street, NY, NY 10011

Sean MacPherson d/b/a MARLTON HOTEL OPERATING LLC - 5 W. 8th Street, NY, NY 10011

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 09/05/2023

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[X] YES (DATE ADMITTED Mo. 6 Yr. 1965)

Attorney Bar Code # 1557784

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Clear Form

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